

DRAFT Environmental Assessment Flat Iron Latrine Relocation



April 2014

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1.0 Purpose of and Need for Action

1.1 Proposed Action

The State Parks Division of Montana Fish, Wildlife & Parks (FWP) proposes to relocate the public latrine at the Flat Iron public access site on the Lower Clark Fork River.

Currently the Flat Iron public latrine, located on US Highway 200, one mile down river from Thompson Falls State Park, is located below the normal high-water mark along the Clark Fork River. As a result, the latrine is frequently flooded during high flows, prompting FWP to preemptively pump the vault and prohibit public use until waters drop.

1.2 Agency Authority

FWP leases this property from Avista Utilities. Under the lease, FWP has the responsibility of maintaining and operating the site. The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop, and operate a system of fishing accesses. Section 23-1-110, MCA, guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

1.3 Anticipated Schedule of Events

March 11, 2014 – Avista Utilities Management Committee to approve cost-sharing of project.

April 1 – FWP will release EA for 21-day public comment period.

April 22 – FWP issues decision notice.

Mid May (before high water) – 1-day project to remove old latrine and install new latrine in new location.

1.4 Location

Sanders County, T22N, R30W, Sec. 26 and 35

3.2 Vegetation

Alternative A:

There will be minimal impacts to the vegetation conditions in the existing location and the new location of the latrine. Reseeding would occur at both sites, after the project is completed, to ensure vegetation is allowed to establish. This effect would be short term, one growing season for the new seeds to establish, and would not negatively impact either location.

Alternative B:

The no-action alternative would not affect vegetation resources. If the latrine is not relocated, there would be no changes to the existing vegetation conditions at either site.

3.3 Water Resources

Alternative A:

The project will positively affect water resources, as the old latrine would be removed from its existing location in the high-water zone, thus reducing the possibility of contaminating the river with effluent.

Alternative B:

The no-action alternative could affect water resources negatively. If the spring run-off were to flood the contents of the latrine, it would be carried into the river. Currently, FWP pumps the latrine empty prior to the spring run-off and locks the latrine during the spring run-off. FWP then reopens the latrine once the high water has subsided.

3.4 Aesthetics and Recreation Opportunities

Alternative A:

The project will affect aesthetics and recreation opportunity resources, as the old latrine would be removed from its existing location and relocated in a more visible location. It will also move the latrine farther from the boat ramp and parking area, which may be an inconvenience for visitors to use the new latrine. To mitigate this effect, there is a possibility of renting a portable toilet that would be located near the boat ramp for the busy summer months and after the high-water run-off. Both of these resources affected would be long term, as the relocation will be permanent.

Alternative B:

The no-action alternative would affect aesthetics and recreational opportunity resources. Leaving the latrine in its current location during the high-water run-off is not aesthetically pleasing. The recreation opportunity resource remains unaffected by the no-action alternative as nothing is changing; visitors still have a latrine for use.

3.5 Cultural and Historic Resources

Alternative A:

FWP does not anticipate any effects on cultural and historic resources. FWP has consulted with the State Historic Preservation Office prior to the initiation of the project, and they indicated that there are no concerns regarding impacts to cultural resources.

Alternative B:

The no-action alternative leaving the latrine in its current location would not affect cultural and historic resources.

3.6 Cumulative Effects

The project would have a positive cumulative effect due to the lessened likelihood of contamination to the Clark Fork River. Maintenance and repair from flooding can be avoided by relocating the latrine to a more suitable area. The latrine would be available to the public throughout the year as the need for periodic closure due to flooding would be eliminated. No cumulative negative impacts are anticipated by the proposed action.

4.0 Resource Issues Considered, but Eliminated from Detailed Analysis

The Montana Environmental Policy Act (MEPA) provides for the identification and elimination from detailed study of issues that are not significant or that have been covered by a prior environmental review, narrowing the discussion of these issues to a brief presentation of why they would not have a significant effect on the physical or human environment or providing a reference to their coverage elsewhere (ARM 12.2.434-d). While these resources are important, FWP anticipates they would be unaffected by the proposed action, or if there are any effects, those influences could be adequately mitigated. As a result, these resources were eliminated from further detailed analysis.

4.1 Land Use

The relocation of the latrine from the boat ramp area to the site entrance and kiosk area will not alter the land use at the site. The area will still provide services to the public.

4.2 Air Quality

The relocation of the latrine will not alter the air quality at either site.

4.3 Wildlife & Fisheries Species

No wildlife or fisheries species will be impacted with the relocation of the latrine.

4.4 Noise and Electrical Effects

There will be no long-term impact on noise or electrical effects at the site. Very minor and temporary increase in the level of noise will occur with the relocation of the latrine as a result of relocation activities.

4.5 Risks and Health Hazards

Relocating the latrine would reduce the likelihood of water contamination.

4.6 Community and Taxes

The community will not encounter any negative impact with the relocation of the latrine. Services of the latrine will be available to the public year-round since the new site does not have high-water issues. The project will generate some sanitation permit fees for Sanders County. The tourism report is attached.

5.0 Need for an Environmental Impact Statement

Disturbances are restricted to a very small area for a brief period of time, having minimal effects. Based on an evaluation of impacts to the physical and human environments under MEPA, this environmental review revealed no significant impacts from the proposed action; therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis.

6.0 Public Participation

6.1 Public Involvement

Public notification of the EA release and opportunities to comment will be by:

- A statewide press release.
- Two legal notices in each of these papers: Kalispell's Daily Inter Lake and Sanders County Ledger.
- Direct mailing to adjacent landowners and interested parties.
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this EA will be available for public review at FWP Region 1 Headquarters in Kalispell and on the FWP web site.

A public meeting will be scheduled if requested. At this meeting the public will have a venue to submit comments and have questions answered by FWP staff. This level of public notice and participation is appropriate for a project of this scope, having few limited physical and human impacts.

6.2 Comment Period

The public comment period will extend for 21 days beginning April 4, 2014. Written comments will be accepted until 5:00 p.m. on Friday, April 25, 2014, and can be mailed to the address below:

Flat Iron Latrine Relocation
490 N. Meridian Road
Kalispell, MT 59901

Or e-mail comments online at
stateparks.mt.gov click on "submit public comments".

6.3 Offices & Programs Contributing to the Document

Montana Department of Fish, Wildlife & Parks
Avista Utilities, Noxon, MT
Sanders County, Thompson Falls, MT
Montana Department of Transportation, Thompson Falls, MT
State Historic Preservation Office, Helena, MT
Montana Department of Commerce, Helena, MT

7.0 EA Preparer

Dave Bennetts, Park Manager, Region 1, Kalispell, MT

Attachments

- A. State Historic Preservation Office Letter**
- B. Tourism Report**

Attachment A



February 28, 2014

Dave Bennetts
FWP
490 N. Meridian Rd
Kalispell MT 59901

RE: FLAT IRON LATRINE RELOCATION. SHPO Project #: 2014022805

Dear Mr. Bennetts:

I have conducted a cultural resource file search for the above-cited project located in Sections 26, 35, T22N R30W. According to our records there have been no previously recorded sites within the designated search locales. The absence of cultural properties in the area does not mean that they do not exist but rather may reflect the absence of any previous cultural resource inventory in the area, as our records indicated none.

It is SHPO's position that any structure over fifty years of age is considered historic and is potentially eligible for listing on the National Register of Historic Places. If any structures are to be altered and are over fifty years old we would recommend that they be recorded and a determination of their eligibility be made.

Based on the lack of previous inventory and the ground disturbance required by this undertaking we feel that this project has the potential to impact cultural properties. We, therefore, recommend that a cultural resource inventory be conducted in order to determine whether or not sites exist and if they will be impacted.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at dmurdo@mt.gov. I have attached an invoice for the file search. Thank you for consulting with us.

Sincerely,

Damon Murdo
Cultural Records Manager
State Historic Preservation Office

File: FWP/FISH/2014

Attachment B

TOURISM REPORT MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett, Visitor Services Manager
Montana Office of Tourism-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: Flat Iron Toilet relocation

Project Description: Currently the Flat Iron Fishing Access Site (FAS) latrine is located below the Clark Fork Rivers' high-water zone. The latrine is 20 years old and not only needs to be relocated to a locale out of the high-water zone, but also needs to be replaced. The new location will be in an area that is well above the high-water zone.

1. Would this site development project have an impact on the tourism economy?
NO YES If YES, briefly describe:

Yes, as described, this project has the potential to positively impact the tourism and recreation industry economy if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
NO YES If YES, briefly describe:

Yes, as described, the project has the potential to improve quality and quantity of tourism and recreational opportunities if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature Carol Crockett, Visitor Services Manager Date February 28, 2014